

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

KAREEM ABDUL JOHNSON

CIVIL ACTION NO. 21-04207

VERSUS

JUDGE S. MAURICE HICKS, JR.

JPMORGAN CHASE BANK, N.A. ET AL.

MAGISTRATE JUDGE HORNSBY

MEMORANDUM ORDER


Before the Court is Petitioner Kareem Abdul Johnson's ("Johnson") Magistrate Appeal (Record Document 38). On September 9, 2022, Magistrate Judge Hornsby denied Johnson's Motion for Leave to File an Amended Complaint because the case was previously dismissed on June 13, 2022. See Record Documents 32 & 33. Johnson now appeals the denial of the motion on the grounds that the decision was an abuse of discretion. See Record Document 38. For the reasons set forth below, the Magistrate Appeal (Record Document 38) is **DENIED**, and Magistrate Judge Hornsby's Order (Record Document 33) of September 9, 2022, is **AFFIRMED**.

The decision by Magistrate Judge Hornsby to deny Johnson's motion to amend his complaint is a non-dispositive matter. This action is not listed in 28 U.S.C. § 636(b)(1)(A) as one of the dispositive motions that a magistrate judge may not conclusively decide. An order on a non-dispositive matter from the magistrate judge must be upheld unless it is clearly erroneous or contrary to law. See 28 U.S.C. § 636(b)(1)(A) & Fed. R. Civ. P. 72(a); see also Castillo v. Frank, 70 F.3d 382, 385 (5th Cir. 1995). The Court will review the Magistrate Judge's legal conclusions *de novo* and will review his factual findings for clear error. See Bedingfield v. Deen, No. 09-369, 2011 WL 1044397, at *1 (W.D. La. Mar. 18, 2011).

On June 13, 2022, this Court dismissed Johnson's complaint in its entirety, without prejudice. See Record Document 30. Thus, when Johnson filed his Motion for Leave to File an Amended Complaint on September 7, 2022, the case had already been closed. See Record Document 32. Thus, this Court's review of the petition and the instant appeal do not evidence that Magistrate Judge Hornsby's denial of Johnson's motion was clearly erroneous or contrary to law. Thus, the Order denying the Motion for Leave to File an Amended Complaint (Record Document 33) is **AFFIRMED**, and Johnson's appeal (Record Document 38) is **DENIED**.

IT IS SO ORDERED.

THUS DONE AND SIGNED, in Shreveport, Louisiana, on this the 28th day of September, 2022.


S. MAURICE HICKS, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT